

10/510942

Docket: 2780  
(203-3093)

DT04 Rec'd PCT/PTO 08 OCT 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bruce K. Jankowski

Serial No: To Be Assigned      Filed: Concurrently Herewith

Examiner: To Be Assigned      Group Art Unit: To Be Assigned

For: **INSTRUMENT INTRODUCER**

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R.**  
**1.97 (c)**

Sir:

In accordance with Applicant's duty of disclosure under 37 C.F.R §1.56, the information listed in the attached PTO-1449 form is brought to the attention of the Examiner. Copies of the cited U.S. patents (5,752,970, 5,797,888, and 5,792,074) are not provided pursuant to the waiver of this requirement under 37 C.F.R §1.98 for national applications filed after June 30, 2003. The foreign references (DE 100 11 042 and WO 01 58360) are submitted herewith.

It is respectfully requested that the reference(s) cited with Form PTO-1449 herewith be considered during Examination of the above-identified application and made of record therein. This submission is believed to be in compliance with 37 C.F.R. §1.97 and 37 C.F.R. §1.98.

The citation of the listed item(s) is not a representation that it constitutes a complete or exhaustive listing of prior art or that it constitutes prior art. The item(s) listed is/are submitted in good faith, but is/are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner, it will assist the Examiner in identifying fields of search and in making as full and complete a search as possible.

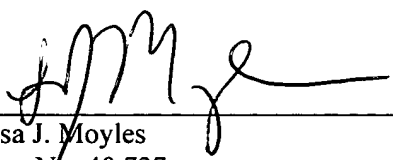
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- (X) This information disclosure statement is being filed within three (3) months of the filing date of this application.
- () This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.

- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action in connection with this case.
- ☐ Enclosed is a certificate under 37 C.F.R. §1.97 (e)(i).
- ☐ Enclosed is a petition under 37 C.F.R. §1.97 (d)
- ☐ Please charge the petition fee of \$130.00 required under 37 C.F.R. §1.17 (i)(1) to Deposit Account No. 21-0550.
- ☐ As set forth in 37 C.F.R. §1.97 (c), to the best of Applicant(s) knowledge, this information disclosure statement is being filed before either the mailing of a final action under 37 C.F.R. §1.113 or the mailing of a notice of allowance under 37 C.F.R. §1.113, and is accompanied by the \$240.00 fee as provided for in 37 C.F.R. §1.17(p).
- ☐ As set forth in 37 C.F.R. 1.97 (e) (1): That each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ Please charge the \$240.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 21-0550.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 37 C.F.R. §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend time as required and charge Deposit Account No. 21-0550 therefore **TWO COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Dated: 10/8/04

  
\_\_\_\_\_  
Lisa J. Moyles  
Reg. No. 40,737  
Attorney for the Applicants

United States Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
150 Glover Avenue  
Norwalk, CT 06856  
(203) 845-1480

Sheet 1 of 1

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO.: 2780 (203-3093)	SERIAL NO.: To Be Assigned 10/510942
	APPLICANTS: Bruce K. Jankowski	
	FILING DATE: Concurrently Herewith	GROUP ART UNIT: To Be Assigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,752,970	05/19/1998				
		5,797,888	08/25/1998				
		5,792,074	08/11/1998				

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		100 11 042	09/27/2001	DE				
		01 58360	08/16/2001	EPO				

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

		PCT International Search Report for International Application No. PCT/US03/11244, Date 07/14/2003 (5 pgs.)

EXAMINER	DATE CONSIDERED
----------	-----------------

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])